

bility and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease, and requiring the Secretary of Labor and Industry to prepare such instructions to be printed by insurers and supplied to employers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

The Pennsylvania Occupational Disease Act.

Section 1. The act of June 21, 1939 (P. L. 566), known as "The Pennsylvania Occupational Disease Act," is amended by adding, after section 304, a new section to read:

Act of June 21, 1939, P. L. 566, amended by adding a new section 304.1.

*Section 304.1. The Secretary of Labor and Industry shall, within ninety (90) days after the effective date of this amendatory act, prepare a brochure of instructions, setting forth the rights of an employe in the event of disability or death caused by occupational disease and informing him of the time and manner in which claims should be filed. A copy of such brochure shall be provided each insurance company authorized to write insurance policies covering occupational diseases under this act. Such insurance companies shall prepare at their own expense copies of said brochure for distribution to such insured employers. Each insurance company shall prepare the brochures immediately upon receipt of the sample brochure from the Secretary of Labor and Industry in such quantity as required by employers for distribution to each employe. The employer shall distribute such brochures to each employe at the time of hiring and to each existing employe within thirty (30) days after the receipt of the brochure.*

APPROVED—The 19th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 634

### A SUPPLEMENT

To the act of June 2, 1915 (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," providing for the pay-

ment of compensation to special school police, appointed by municipalities and townships, or the dependents of such special school police.

**The Pennsylvania Workmen's Compensation Act.**

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Definition of "employee" as defined in section 104, act of June 2, 1915, P. L. 736, reenacted and amended June 21, 1939, P. L. 520, and amended February 28, 1956, P. L. 1120, further amended.**

Section 1. In addition to those persons included within the definition of the word "employee" as defined in section 104, act of June 2, 1915 (P. L. 736), known as "The Pennsylvania Workmen's Compensation Act," reenacted and amended June 21, 1939 (P. L. 520) and amended February 28, 1956 (P. L. 1120), there shall be included all special school police in municipalities and townships, who shall be and are hereby declared to be "employees" of the appointing municipality or township for all the purposes of said act, and shall be entitled to receive compensation in case of injuries received while actually engaged as policemen or while participating in instruction or while answering any emergency call for any purpose or while performing any other duty authorized by the municipality or township.

The municipality or township as employer shall, in all cases, be deemed to have knowledge of all other employment of all members of its special school police, including self-employment, and shall be liable for compensation on account of all wages and earnings resulting therefrom. In all cases where an injury compensable under the provisions of this act is received by a member of the special school police who is, in whole or in part, a self-employer and loss of earnings results therefrom, such earnings shall, for the purposes of this act, be regarded as wages. The average weekly wage as so regarded shall be that most favorable to the employe, computed by dividing by thirteen the total earnings of the employe in the first, second, third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident. In all cases where an injury compensable under the provisions of this act is received by a member of the special school police of a municipality or township, who is self-employed or unemployed, payments shall be made of not less than twenty-two dollars and fifty cents (\$22.50) per week for total disability and not less than twelve dollars and fifty cents (\$12.50) for partial disability.

APPROVED—The 19th day of September, A. D. 1961.

DAVID L. LAWRENCE